same economic stratum. (Petition, pp. 22-23). If altered social and economic conditions favor a different approach, it is for the Congresses of the '70s, not the courts or legal essayists, to appropriately modify the measure which the predecessor legislature of 1964 placed on the statute books. In this view, the emergence of a trend to decisional uniformity at the circuit court of appeals level, does not, as contended by the Government, afford a reason for denying certiorari, but on the contrary, compounds the judicial error which we believe exists, maximizing the kind of abrasion in the employment sphere which Congress sought to avoid. Review by this Court, with the required response in depth by the Government, can go far toward clearing the air, no matter what the outcome.

CONCLUSION

For the foregoing additional reasons, the petition should be granted.

Respectfully submitted,

WARREN WOODS
BETTY SOUTHARD MURPHY
LEONARD APPEL
1735 K Street, N.W.
Washington, D. C. 20006
Attorneys for Petitioners

Of Counsel:

McINNIS, WILSON, MUNSON
& WOODS
1735 K Street, N.W.
Washington, D. C. 20006

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